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PATENTS
Docket No. 48545.C1 *9-18-98*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ronald G. Canada, Danny Simpson, Zbigniew Czyzewski,
and Thomas E. Nelson

Serial No.: 08/810,132

Filed: February 25, 1997

For: HAND HELD DATA COLLECTOR AND
ANALYZER SYSTEM

Examiner: James P. Trammell

Group Art Unit: 2764

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SECOND SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 (C)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

It is respectfully requested that the documents listed on the attached Form PTO-1449 be considered by the Patent and Trademark Office in the above-entitled application and made of record therein. A check in the amount of \$240.00 is enclosed in payment of the required fee. If the check is missing or in the wrong amount, please charge (or credit) deposit account 12-2355.

This Second Supplemental Information Disclosure Statement is being submitted to cure the formal errors and deficiencies noted by the Examiner in the First Supplemental Information Disclosure Statement.

Item 1 of the Second Supplemental Information Disclosure Statement (the Affidavit of John McGlone) was obtained from an employee of Diagnostic Instruments Limited of the United Kingdom. Exhibits A, B, and C to the affidavit correspond to items 1, 2, and 3 of the First Supplemental Information Disclosure Statement.

As to Exhibit A (item 1 from the First Supplemental IDS) the Examiner inquired as to the authors of the document and the publication date. The authors remain unknown, but the manual was published on or about September 11, 1992.

As to Exhibit B (item 2 of the First Supplemental IDS) the Examiner stated that the material should have been submitted in affidavit form. John McGlone's affidavit accomplishes this, explaining that exhibit B is a reference book that explains how the PL-302 instrument operates.

As to Exhibit C of the McGlone affidavit, the Examiner indicated again that this information should be submitted in affidavit form. Therefore, the McGlone affidavit by reference incorporates the information of the previous e-mail into the affidavit and, therefore, it is respectfully submitted that the e-mail is in condition for consideration by the Examiner.

The second item of the Second Supplemental IDS corresponds to the ninth item of the First Supplemental IDS. The authors of the brochure are unknown. The Examiner objected to this document on the grounds that it had no publication date. The original submitted herewith shows a publication on July 29, 1992.

All of these documents are submitted out of an abundance of caution to ensure that the Examiner is fully aware of the state of the prior art. It is believed that all claims define over any combination of the various references that have been cited and considered by the Examiner and these re-submitted references.

This statement is believed to be in compliance with the provisions of 37 C.F.R. §§ 1.97 (c) and 1.98, including submission of the enclosed full-text copies.

By this submission applicant is not admitting the materiality of these references; they are merely submitted to ensure full compliance with 37 C.F.R. § 1.56.

Respectfully submitted,

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* * * CERTIFICATE OF MAILING * * *

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

on September 11, 1998
Date



Andrew S. Neely